

SOULE AND SPALDING
ATTORNEYS AND COUNSELORS AT LAW
WALKER BANK BUILDING
SALT LAKE CITY, UTAH

January 28, 1921.

Mr. T. F. Wentz,
Provo, Utah.

Dear Sir:

We are much pleased to acknowledge receipt of your letter of the 19th and thank you for calling our attention to the water rights of Parley Gines, Rosel Leffler and George R. Hardman, Jr. in the Provo water suit. We shall make an effort to bring these matters properly to the attention of the Court on the 19th of February.

By the way we have been checking over the decree and find that there are a few discrepancies with relation to our clients between the decision of the Court in this case and the proposed decree.

At page 21 of the decision of Judge Morse in this case I find among other things the following entries:

"John Swift and as successor to Mary A. Moon, first class, 5 acres, .083 second feet.

At page 39 of the decree, John Swift, April 15th to Sept. 15th, .083 second feet. After his name we think should be inserted the following: "and as successor to Mary A. Moon."

At page 22 of the decision, the following:

William Lemman, successor to John C. Driscoll, first class, 40 acres, .667 second feet.

At page 38 of the ~~decree~~ we find among other things

William Lemon (error in spelling) We will find out what the correct spelling is and advise.

At page 22 of the decision:

James A. Knight, and as successor to Henry Fraughton and J. J. Jenkins, first class, 270 acres, 4.5 second feet.

At page 38 of decree:

James A. Knight, successor to Henry Fraughton and J. J. Jenkins, from Provo river, from April 15th to September 15th, 2.143 second feet. From Bridge Hollow, April 15th to September 15th, 1.714 second feet. In the decision Knight is given more water.

At page 22 of the decision:

Ola W. Larson, successor to Joseph Ketchun, first class, 90 acres, 1.5 second feet.

At page 38 of the decree:

Ola W. Larson, successor to Joseph Ketchun, April 15th to September 15th, 1.000 second feet ~~xxxxxx~~ which is less water than awarded him in the decision.

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At page 22 of decision:

Christeen Fraughton, Administrator of the estate of Henry Fraughton, deceased, and successor to Marshall Leffler, first class 4 acres, .067 second feet, second class 13 acres, .217 second feet.

At page 37 of the decree:

Christeen Fraughton, Administrator of the estate of Henry Fraughton deceased April 15th to September 15th .21 second feet. This almost checks with the second class water right given in the decision but no allowance is made for the first class right that we can find.

At page 37 of the proposed decree, I find the following:

Mary A. White, Administrator of the estate of Thomas White, deceased, April 15th to September 15th, .667 second feet; September 15th to April 15th .571 second feet. I do not find any allowance in Judge Morse's decision which corresponds with this. I do find ~~in the findings~~, at page 39 of the decree, two rights allowed Mary Ann White which corresponds with the two rights allowed her in the decision at pages 22 and 23.

In these matters there may be an allowance somewhere else in the decree but if so I have not discovered it and I thought it advisable to call these matters to your attention.

Very truly yours,

OPS

